

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re: : Case No. 16-55404
Colleen Theresa Carman : Chapter 13
Debtor. : Judge John E. Hoffman, Jr.

TRUSTEE’S RESPONSE TO AMENDED MOTION TO SELL REAL ESTATE (Doc. 131)

Now comes Faye D. English, Chapter 13 Trustee herein (“Trustee”), and hereby responds to Debtor’s Amended Motion to Sell Real Estate (the “Amended Motion”) (Doc. 131).

The Amended Motion seeks authority to sell Debtor’s residence located at 24 Bancroft Place, Hebron, OH 43025 (the “Real Property”). Debtor proposes to sell the Real Property and use the net sale proceeds in the approximate amount of \$144,649.14 to pay off the remaining attorney fees and unsecured creditors at the current 1% dividend.

Trustee does not oppose either the sale of the Real Property or the Debtors’ intent to pay the non-exempt net proceeds toward the plan. Trustee is filing this Response to clarify that in the event the net sale proceeds exceed the Debtor’s claimed homestead exemption in the amount of \$136,925.00, those non-exempt sale proceeds will be administered by the Trustee for the benefit of unsecured creditors, which will result in an increased dividend to unsecured creditors.

Trustee anticipates that the parties will be able to resolve this matter with an agreed order, but if unable to do so, respectfully requests that this Court set a hearing on the Amended Motion and grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

/s/ Stacey A. O’Stafy

Faye D. English, Chapter 13 Trustee
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Response to Amended Motion to Sell Real Estate was served (i) **electronically** on the date of filing through the court's ECF System on all ECF participants registered in this case at the email address registered with the court and (ii) by **first class mail** on February 11, 2021 addressed to:

Colleen Theresa Carman
24 Bancroft Street
Hebron, OH 43025-9713

/s/ Stacey A. O'Stafy
Stacey A. O'Stafy (0070386)